

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Subpoena Served on Clear Street LLC

HAL D. MINTZ, and
SABBY MANAGEMENT LLC,

Petitioners,

v.

U.S. SECURITIES AND EXCHANGE
COMMISSION,

Respondent.

Case No. 1:24-mc-00217

(Arising from Case No. 1:23-
CV-3201-RMB-AMD in the
United States District Court for
the District of New Jersey)

**NOTICE OF MOTION TO
QUASH NON-PARTY
SUBPOENA**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Hal D. Mintz, Declaration of Michael Van Riper, and Memorandum of Law, by and through the undersigned counsel, Petitioners Hal. D. Mintz and Sabby Management LLC will hereby move this Court, at a date and time to be determined by the Court, for entry of an Order: (i) quashing Respondent's subpoena to non-party Clear Street LLC, dated March 25, 2024, issued out of the matter of *U.S Securities and Exchange Commission v. Mintz, et al.*, No. 23-cv-3201 (RMB) (AMD) (D. N.J.); and (ii) granting such other and further relief as the Court deems just and proper.

Dated: May 10, 2024
New York, New York

Respectfully submitted,

WILK AUSLANDER LLP

By: /s/ Jay S. Auslander

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